

**CHAPTER NO. 573**

**SENATE BILL NO. 2771**

**By Fowler**

**Substituted for: House Bill No. 3683**

**By Clem, Mumpower, Hargett, Bo Watson**

AN ACT to amend Tennessee Code Annotated, Title 53, Chapter 1, relative to the Tennessee Food, Drug and Cosmetic Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-1-102, is amended by deleting subdivision (6) in its entirety and by substituting instead the following language:

(6) "Certificate of Free Sale" means a certificate issued by the department which certifies that the manufacturer of the food, non-prescription drugs, or cosmetics listed in the document is duly authorized to manufacture the products and either:


(A) That the products can be sold freely to the public in the United States and the manufacturer is in substantial compliance with this chapter as determined by an inspection conducted by the department; or

(B) That the manufacturer has provided the department with a complete copy of the report of the most recent inspection conducted by the United States Food and Drug Administration for each Tennessee location where the foods, non-prescription drugs or cosmetic products for which the certificate is being sought are manufactured and that based on the inspection report or reports, it is evident that the manufacturer is authorized to sell such products freely in the United States;

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

PASSED: April 24, 2006

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 4<sup>th</sup> day of May 2006

  
PHIL BREDESEN, GOVERNOR